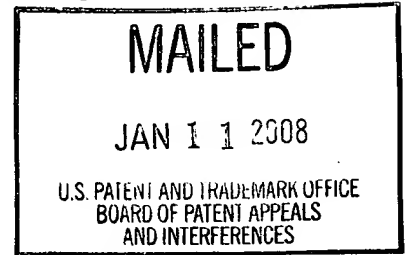


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte AKIHIKO TOYOSHIMA

Application No. 09/972,760



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on December 31, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below:

On March 8, 2007, appellant filed an Appeal Brief. A review of the file reveals that claim 18 in the appendix of the Appeal Brief are not consistent as amended in the Amendment filed on July 28, 2006. Appropriate correction required.

Application No. 09/972,760

Accordingly, it is

ORDERED that the application is returned to the Examiner for correction of the Appendix for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: *Patrick J. Nolan*
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cc: ROGITZ & ASSOCIATES
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